

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)
) **Group Art Unit:** 2875
ANTHONY MAGLICA)
) **Examiner:** S. HUSAR
Serial No.: Filed Herewith)
)
Filed: Filed Herewith)
)
For: FLASHLIGHT)
_____)

INFORMATION DISCLOSURE STATEMENT

Mail Stop: Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in the Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449. Applicant respectfully requests that a copy of the Form PTO-1449, as considered and initialed by the Examiner, be returned with the next communication.

The items identified in the IDS may or may not be "material" pursuant to CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR §1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

In accordance with 37 CFR 1.97(g), the filing of the Information Disclosure Statement shall not be construed to mean that a search has been made or the no other material information, as defined in 37 CFR 1.56, exists.

The patents, publication and other information disclosed in the attached PTO Form 1449 were previously cited by or submitted to the Office in one of the following applications on which this application relies for an earlier filing date under 35 U.S.C. § 120: U.S. Patent Application Serial No. 10/446,584, filed on May 27, 2003, which in turn is a continuation of U.S. Patent Application Serial No. 10/107,753, filed on March 26, 2002, issuing on June 10, 2003, as U.S. Patent No. 6,575,592, which in turn is a continuation of U.S. Patent Application Serial No. 09/694,603, filed October 23, 2000, issuing on March 26, 2002 as U.S. Patent No. 6,361,183,

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which in turn is a continuation of U.S. Patent Application Serial No. 09/034,659, filed March 3, 1998, issuing on October 24, 2000 as U.S. Patent No. 6,135,611, which in turn is a continuation of U.S. Patent Application Serial No. 08/586,581, filed January 16, 1996, issuing on March 3, 1998 as U.S. Patent No. 5,722,765, which is a divisional of Serial No. 08/308,356, filed September 19, 1994, issuing on January 16, 1996 as U.S. Patent No. 5,485,360; which in turn is a continuation of U.S. Patent Application Serial No. 08/049,525, filed April 20, 1993, issuing on September 20, 1994 as U.S. Patent No. 5,349,506, which is in turn a division of Serial No. 07/866,422, filed April 10, 1992, issuing on May 4, 1993 as U.S. Patent No. 5,207,502, which is in turn a continuation of Serial No. 07/719,156, filed June 21, 1991, issuing on May 12, 1992 as U.S. Patent No. 5,113,326. Accordingly, copies of the patents, publications, and other information listed on the attached PTO Form 1449 are not enclosed.

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office Action on the merits; or (4) before the mailing of a first Office Action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

STATEMENT UNDER 37 CFR § 1.97(e):

☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ No item contained in the IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

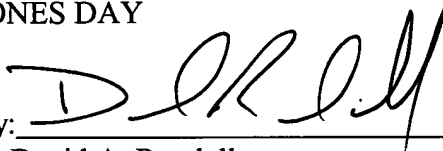
☐ A check in the amount of _____ is enclosed for the above fee(s).

☐ Please charge _____ to Deposit Account No. 50-2468 for the above fee(s).

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Jones Day's Deposit Account No. 50-2468.

Respectfully submitted,

JONES DAY

By: 

David A. Randall
Reg. No. 37,217

Dated: April 20, 2004

Jones Day
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Los Angeles, California 90071
Tel: (213) 489-3939
Fax: (213) 243-2539

FORM PTO-1449 LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 728256-100281	SERIAL NO. Not Yet Assigned
	APPLICANT: ANTHONY MAGLICA	
	FILING DATE: Filed herewith	GROUP: 2875

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	AA	4,237,526	12/1980	Wood	362	158	
	AB	4,327,401	04/1982	Silberg	362	205X	
	AC	4,348,715	09/1982	Christensen	362	205	
	AD	4,433,366	02/1984	Wade	362	158	
	AE	4,530,039	07/1985	Shin-Shi	362	267XR	
	AF	4,577,263	03/1986	Maglica	362	205	
	AG	4,658,336	04/1987	Maglica	362	187	
	AH	4,819,141	04/1989	Maglica, et al.	362	207	
	AI	4,823,242	04/1989	Maglica, et al.	362	205X	
	AJ	4,899,265	02/1990	Maglica	362	187	
	AK	4,942,505	07/1990	Maglica	362	187	
	AL	5,003,440	03/1991	Maglica	362	158	
	AM	5,113,326	05/1992	Maglica	362	158	
	AN	5,207,502	05/1993	Maglica	362	158	
	AO	5,349,506	09/1994	Maglica	362	158	
	AP	5,485,360	01/1996	Maglica	362	158	
	AQ	5,722,765	03/1998	Maglica	362	207	
	AR	6,135,611	10/2000	Maglica	362	158	
	AS	6,361,183	03/2002	Maglica	362	158	10/23/00
	AT	6,575,592	06/2003	Maglica	362	158	03/26/02

EXAMINER:	DATE CONSIDERED:
EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant	

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FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO	
	AU	266160	05/1998	EPO	362	158		
	AV	269323	06/1988	EPO	362	158		
	AW	812980	05/1959	UK	362	202		
	AX	884212	12/1961	UK	362	202		

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
	AY	

EXAMINER:	DATE CONSIDERED:
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